

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 IO-13 OES-07 DLOS-09 CIAE-00
DODE-00 PM-05 H-01 INR-10 L-03 NSAE-00 NSC-05
PA-01 SP-02 SS-15 ICA-11 EB-08 OMB-01 TRSE-00
COME-00 /104 W

-----107133 041909Z /64

R 041829Z APR 78
FM AMEMBASSY BONN
TO SECSTATE WASHDC 7336
INFO AMEMBASSY BERLIN
AMEMBASSY LONDON
AMEMBASSY MOSCOW
AMEMBASSY PARIS
USMISSION USBERLIN
USMISSION USNATO

C O N F I D E N T I A L SECTION 01 OF 02 BONN 06081

E.O. 11652: GDS
TAGS: PGOV, BQG, EFIS
SUBJECT: ALLIED REPLY TO GDR NOTE ON THE CONVENTION
ON THE CONDUCT OF FISHING IN THE NORTH
ATLANTIC

REFS: (A) 77 STATE 227508
(B) 77 BONN 14677

BEGIN SUMMARY. BONN GROUP REACHED AD REF AGREEMENT
MARCH 30 ON TEXT OF ALLIED REPLY TO GDR NOTE ON SUBJECT
CONVENTION WHICH COMMENTS ON THE QUADRIPARTITE AGREEMENT.
ACTION REQUESTED: SEE PARAGRAPH 5. END SUMMARY

1. AT THE MARCH 21 BONN GROUP MEETING, THE UK LEGAL
ADVISER (EATON) DISTRIBUTED THE TEXT OF A GDR NOTE OF
FEBRUARY 9, 1978 (PARA 3 INFRA) WHICH HAD BEEN SENT TO
THE FCO AS DEPOSITORY FOR THE CONVENTION ON THE CONDUCT
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OF FISHING OPERATIONS IN THE NORTH ATLANTIC. IT WAS
AGREED THAT, ALTHOUGH THE ALLIES HAD ANSWERED THE SUB-
STANTIVE POINT RAISED BY THE GDR IN THEIR REPLY TO AN
EARLIER SOVIET NOTE ON THE SAME SUBJECT (REFTELS),
AN ALLIED REPLY WAS NEEDED TO REJECT ANY CLAIM TO
COMPETENCE ON THE PART OF THE GDR TO INTERPRET THE QA.

2. AT THE MARCH 30 BONN GROUP MEETING, AD REF AGREE-MENT WAS REACHED ON A TEXT (PARA 4 INFRA) WHICH ESSENTIALLY FOLLOWS THE STANDARD ALLIED LANGUAGE. THE THIRD PARAGRAPH, HOWEVER, RATHER THAN SPECIFICALLY POINTING OUT THE INCOMPLETE AND MISLEADING QUOTATION OF THE QA BY THE GDR, REFERS TO THE ALLIED REPLY TO THE EARLIER SOVIET NOTE (REF B), WHERE THIS PARTICULAR POINT WAS MADE.

3. FOLLOWING IS THE TEXT OF THE GDR NOTE OF FEBRUARY 9, 1978.

BEGIN TEXT

THE MINISTRY OF FOREIGN AFFAIRS OF THE GERMAN DEMOCRATIC REPUBLIC PRESENTS ITS COMPLIMENTS TO THE FOREIGN AND COMMONWEALTH OFFICE OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND, IN CONNECTION WITH THE ACCESSION OF THE GERMAN DEMOCRATIC REPUBLIC TO THE CONVENTION ON CONDUCT OF FISHING OPERATIONS IN THE NORTH ATLANTIC OF 1 JUNE 1967, HAS THE HONOUR TO STATE THE FOLLOWING:

IN CONNECTION WITH THE STATEMENT OF THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY MADE ON 28 JUNE 1976 CONCERNING THE APPLICATION OF THE CONVENTION ON
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CONDUCT OF FISHING OPERATIONS IN THE NORTH ATLANTIC OF 1 JUNE 1967 TO BERLIN (WEST) THE GERMAN DEMOCRATIC REPUBLIC UNDERSTANDS THAT THE APPLICATION OF THE PROVISIONS OF THE CONVENTION TO BERLIN (WEST) IS ONLY POSSIBLE TO THE EXTENT THAT IT IS IN KEEPING WITH THE QUADRIPARTITE AGREEMENT OF 3 SEPTEMBER 1971, UNDER WHICH BERLIN (WEST) IS NO CONSTITUENT PART OF THE FEDERAL REPUBLIC OF GERMANY AND MUST NOT BE GOVERNED BY IT.

THE MINISTRY OF FOREIGN AFFAIRS OF THE GERMAN DEMOCRATIC REPUBLIC REQUESTS TO INFORM ALL PARTIES TO THE CONVENTION OF THIS STATEMENT.

THE MINISTRY OF FOREIGN AFFAIRS OF THE GERMAN DEMOCRATIC REPUBLIC AVAILS ITSELF OF THIS OPPORTUNITY TO RENEW TO THE FOREIGN AND COMMONWEALTH OFFICE OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERNIRELAND THE ASSURANCES OF ITS HIGHEST CONSIDERATION.

BERLIN, 9 FEBRUARY 1978

END TEXT

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DODE-00 PM-05 H-01 INR-10 L-03 NSAE-00 NSC-05
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C O N F I D E N T I A L SECTION 02 OF 02 BONN 06081

4. FOLLOWING IS THE TEXT OF THE ALLIED REPLY, ON
WHICH THE BONN GROUP REACHED AD REF AGREEMENT ON
MARCH 30, 1978.

BEGIN TEXT

HER MAJESTY'S PRINCIPAL SECRETARY OF STATE FOR
FOREIGN AND COMMONWEALTH AFFAIRS PRESENTS HIS COMPLI-
MENTS TO THE STATES PARTIES TO THE CONVENTION ON THE
CONDUCT OF FISHING OPERATIONS IN THE NORTH ATLANTIC
AND HAS THE HONOUR TO REFER TO A NOTE DATED 9 FEBRUARY
1978 FROM THE MINISTRY OF FOREIGN AFFAIRS OF THE GERMAN
DEMOCRATIC REPUBLIC CONCERNING THE EXTENSION OF THE
CONVENTION TO THE WESTERN SECTORS OF BERLIN BY THE
FEDERAL REPUBLIC OF GERMANY. THE NOTE WAS CIRCULATED
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BY THE UNITED KINGDOM GOVERNMENT IN ITS CAPACITY AS
DEPOSITORY OF THE CONVENTION.

THE GOVERNMENTS OF THE UNITED KINGDOM, FRANCE AND
THE UNITED STATES OF AMERICA WISH TO POINT OUT THAT THE
GERMAN DEMOCRATIC REPUBLIC IS NOT A PARTY TO THE
QUADRIpartite AGREEMENT OF 3 SEPTEMBER 1971 CONCLUDED IN
BERLIN BY THE GOVERNMENTS OF THE FRENCH REPUBLIC, THE
UNION OF THE SOVIET SOCIALIST REPUBLICS, THE UNITED
KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND OF
THE UNITED STATES OF AMERICA, AND IS NOT
THEREFORE COMPETENT TO COMMENT AUTHORITATIVELY ON ITS
PROVISIONS.

THE GOVERNMENTS OF THE UNITED KINGDOM, FRANCE AND
THE UNITED STATES OF AMERICA WISH FURTHER TO POINT OUT
THAT THE CONTENTION CONTAINED IN THE NOTE FROM THE
MINISTRY OF FOREIGN AFFAIRS OF THE GDR REFERRED TO
ABOVE HAS ALREADY BEEN ANSWERED IN THE NOTE OF THE
THREE GOVERNMENTS OF (DATE)
IN REPLY TO A NOTE OF THE
USSR.

THE GOVERNMENTS OF THE UNITED KINGDOM, FRANCE AND
THE UNITED STATES OF AMERICA DO NOT CONSIDER IT NECE-
SARY, NOR DO THEY INTEND, TO RESPOND TO ANY FURTHER
COMMUNICATIONS ON THE SUBJECT FROM STATES WHICH ARE
NOT SIGNATORIES TO THE QUADRIpartite AGREEMENT. THIS
SHOULD NOT BE TAKEN TO IMPLY ANY CHANGE IN THE POSITION
OF THE UNITED KINGDOM, FRENCH AND UNITED STATES GOVERN-
MENTS IN THIS MATTER.

(COMPLIMENTARY CLOSE)
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END TEXT

(NOTE: OUR FILES DO NOT SHOW THE DATE OF OUR REPLY TO
THE EARLIER SOVIET NOTE. THE UK BONN GROUP REP IS
SEARCHING FOR THIS INFORMATION.)

5. ACTION REQUESTED: DEPARTMENTAL APPROVAL OF THE AD
REF TEXT IN PARA 4 SUPRA, SUBJECT TO INCLUSION OF
CORRECT DATE, AND, AS WAS APPARENTLY DONE IN THE CASE
OF NOTE IN REFTELS, A REPLY ON OUR BEHALF BY THE UK.

STOESSEL

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Message Attributes

Automatic Decaptioning: X
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Current Classification: UNCLASSIFIED
Concepts: AGREEMENT DRAFT, DIPLOMATIC NOTES, FISHING AGREEMENTS, BERLIN QUADRIpartite MATTERS
Control Number: n/a
Copy: SINGLE
Draft Date: 04 apr 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
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Disposition Remarks:
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TAGS: PGOV, EFIS, UR, WB, BQG
To: STATE
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